

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

In re: ELIZABETH THOMAS	§	Case No. 23-34971
Debtor	§	(Chapter 13)
	§	
Elizabeth Thomas <i>et al,</i>	§	
Appellants	§	
vs.	§	
	§	
PCF Investment Inc a/k/a PCF Properties in	§	
Texas LLC.	§	
Apellees	§	

**MOTION FOR ENTRY OF AGREED ORDER CONDITIONING AUTOMATIC STAY [AND CO-DEBTORS STAY] REGARDING A CIVIL PROCEEEDING**

THIS IS A MOTION FOR ENTRY OF AN AGREED ORDER CONDITIONING THE AUTOMATIC STAY. IF YOU OBJECT TO THE GRANTING OF RELIEF, YOU SHOULD CONTACT THE MOVANT IMMEDIATELY TO TRY TO REACH AN AGREEMENT. IF YOU CANNOT REACH AN AGREEMENT, YOU MUST FILE A WRITTEN RESPONSE AND SEND A COPY TO MOVANT WITHIN 14 DAYS OF THE DATE THIS WAS MAILED TO YOU. IF NO TIMELY OPPOSITION IS FILED, THE COURT MAY GRANT THE RELIEF WITHOUT A HEARING.

1. Movant James M. Andersen (Co-Debtors),
2. t Elizabeth Thomas (debtor).
3. Creditor: PCF Investments Inc., its subsidiary PCF Properties in Texas LLC.
4. The Movant, Debtor Elizabeth Thomas and the Creditor PCF Properties in Texas LLC are parties to case in the U.S. Federal District Court of Delaware under Cause No. 23-CV-01047.
5. On April 19, 2023, the 80<sup>th</sup> District Court, Harris County Texas granted a final judgment in the case styled as PCF Investments Inc., its subsidiary PCF Properties in Texas LLC, under cause No. 2020-35780, in favor of PCF Properties in Texas LLC, (parent company was omitted) against the Movants, debtor and other co-debtors.
6. However on December 18, 2023, the Movant James M. Andersen, Debtor Elizabeth Thomas Co-Debtors Robert L. Thomas James Allen and Allan Haye and the Judgment Creditor PCF Properties in Texas LLC., have all entered into a binding settlement agreement as to all pending claims.
7. The motion seeks relief as the Movant, Debtor, Co-Debtors and Creditor as stated above on December 18, 2023, entered a binding settlement agreement as to all claims now seeks to file an Agreed to Motion for Dismissal of the case in federal court.
8. Movant, Debtor, Co-Debtors and Creditor have agreed to condition the automatic stay pursuant to the terms of the attached agreed order. Accordingly the parties request entry of the agreed order.

Date: January 31, 2023.

Respectfully submitted,

THE JAMES M. ANDERSEN LAW FIRM

/s/James M. Andersen

James M. Andersen

Attorney at Law

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**Certificate of Service and Certificate of Compliance with BLR 4001**

A copy of this motion was served on the persons shown on exhibit "1" at the addresses reflected on that exhibit on January 31, 2024 by prepaid United States first class mail. Movant certifies that movant has complied with Bankruptcy Local Rule 4001.

/s/James M. Andersen

James M. Andersen

CREDITORS MATRIX

Capital One Auto Finance, a division of  
Capital One, N.A.  
4515 N Santa Fe Ave. Dept. APS  
Oklahoma City, OK 73118

Department of the Treasury  
Internal Revenue Service  
P.O. Box 7346  
Philadelphia, PA 19101-7346

FLAGSTONE LENDING GROUP  
4750 West Wiley Way  
Salt Lake City Utah 84116

MARY A. LESTER  
3507 Loure Ln  
Houston Tx 77082

MIRAMAR LAKE HOMEOWNERS ASSOCIATION  
1100 Corporate Centre Dr.  
Houston Tx. 77041

MTH LENDING GROUP L.P.,  
550 Westcott  
Houston Tx 77007

MERITAGE HOMES OF TEXAS LLC.  
18655 North Claret Dr.  
Scottsdale Az 85255

MERITAGE HOMES CORPORATION  
8800 East Raintree Drive  
Scottsdale Az 85260

PCF PROPERTIES IN TEXAS LLC.  
A SUBSIDARY OF PCF INVESTMENTS INC.  
2711 Centerville Road  
Wilmington De 19808

Portfolio Recovery Associates, LLC  
POB 41067  
Norfolk VA 23541

United States Courts  
Southern District of Texas  
FILED

DEC 19 2023

*Nathan Ochsner, Clerk of Court*

PRIMARY RESIDENTIAL MORTTAGE INC.  
1480 N 2200 W  
Salt Lake City Utah 84116

STEWART TITLE COMPANY  
1360 Post Oak Blvd.  
Houston Tx. 77056

STEWART TITLE GUARANTY COMPANY  
1360 Post Oak Blvd.  
Houston Tx. 77056